

TRUST ACCOUNT OVERDRAFT REPORTING AGREEMENT

TO: INDIANA SUPREME COURT DISCIPLINARY COMMISSION
115 West Washington Street
Suite 1165
Indianapolis, Indiana 46204

The undersigned, being a duly authorized officer of _____, a financial institution doing business in the State of Indiana, and the agent of the named financial institution specifically authorized to enter into this agreement, hereby applies to be approved to receive attorney trust accounts in the State of Indiana. In consideration of the Indiana Supreme Court Disciplinary Commission's approval of the named financial institution, the institution agrees to comply with the reporting requirements for such institution as set forth in Indiana Admission and Discipline Rule 23, § 29(b) through (g) and the Rules Governing Trust Account Overdraft Reporting promulgated by the Disciplinary Commission, as now in effect and as hereafter amended from time to time.

Specifically, the named financial institution agrees:

- (1) To report to the Indiana Supreme Court Disciplinary Commission in the event it has actual notice that any properly payable attorney trust account instrument is presented against insufficient funds, irrespective of whether the instrument is honored. (This obligation applies to both IOLTA trust accounts under Indiana Professional Conduct Rule 1.15(f)(1) and non-IOLTA attorney trust accounts under Indiana Professional Conduct Rule 1.15(f)(1).)
- (2) That all such reports shall be in substantially the following format:
 - (a) in the case of a dishonored instrument, the report shall be identical to the overdraft notice customarily forwarded to the depositor and should include a copy of the dishonored instrument, if such a copy is normally provided to the depositor;
 - (b) in the case of an instrument that is presented against insufficient funds but which instrument is honored, the report shall identify the financial institution, the depositor attorney or law firm, the account number, the date of presentation for payment, the date paid, and the amount of the overdraft created thereby.
- (3) That all such reports shall be made within the following time periods:
 - (a) in the case of a dishonored instrument, simultaneously with, and within the time provided by law for, notice of dishonor;
 - (b) in the case of an instrument that is presented against insufficient funds but which instrument is honored, within five (5) banking days of the date of presentation for payment against insufficient funds.
- (4) To provide the Disciplinary Commission with the name and contact information of the financial institution's primary point of contact for matters pertaining to its responsibilities under this agreement, and to promptly update that contact information in the event it changes.

This agreement shall apply to all branches of the named financial institution and shall not be canceled except upon thirty (30) days notice in writing to the Executive Secretary, Indiana Supreme Court Disciplinary Commission, 115 West Washington Street, Suite 1165, Indianapolis, Indiana 46204.

Name, Address, and Telephone Number of Contact Person for Financial Institution:

DATE: _____

Signature of Authorized Official

CORPORATE

Printed or Typed Name of Authorized Official

SEAL

Title or Position of Authorized Official

ACKNOWLEDGMENT

STATE OF _____)
) ss:
COUNTY OF _____)

On the _____ day of _____, 20____, before me, a Notary Public in and for the State of _____, personally appeared the above-named individual, known to me to be the person executing the foregoing instrument, and acknowledged and executed said instrument as his/her free and voluntary act and deed.

Notary Public (signature)

Notary Public (printed or typed)

My Commission Expires: _____ County of Residence: _____

ACCEPTANCE

The named financial institution is hereby approved by the Indiana Supreme Court Disciplinary Commission as a depository for trust accounts in the State of Indiana until such time as this agreement is canceled upon thirty (30) days' written notice to the Commission by the institution or is revoked by action of the Disciplinary Commission.

DATE: _____

Executive Secretary
Indiana Supreme Court Disciplinary Commission